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11 UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

12 DARIN HEATHERLY AND IRMA ) CASE NO.: 3:15-cv-00851- MEJ  
13 RAMIREZ, )  
14 v. Plaintiffs, )  
15 SEBT, LLC, )  
16 Defendants. )  
17 \_\_\_\_\_)

18  
19 **STIPULATION OF DISMISSAL AND**  
**~~[PROPOSED]~~ ORDER THEREON**

20 The Parties, by and through their respective counsel, stipulate to dismissal of this action in  
21 its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(2).

22 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through  
23 their designated counsel that the above-captioned action become and hereby is dismissed with  
24 prejudice and each side is to bear its own costs and attorneys' fees.

25 The parties further consent to and request that the Court retain jurisdiction over enforcement  
26 of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994) (empowering the  
district courts to retain jurisdiction over enforcement of settlement agreements).  
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1        This stipulation may be executed in counterparts, all of which together shall constitute one  
2 original document.

3  
4 Dated: November 5, 2015

THOMAS E. FRANKOVICH  
**A PROFESSIONAL LAW CORPORATION**

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7 By: /s/ Thomas E. Frankovich  
Thomas E. Frankovich  
8 Attorney for Plaintiffs

9  
10 Dated: November 5, 2015

ALLMAN & NIELSEN, P.C.

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12 By: /s/ Sara B. Allman  
Sara B. Allman  
13 Attorney for Defendants

14  
15 **ORDER**

16  
17 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to  
18 Fed.R.Civ.P.41(a)(2) and each side is to bear its own costs and attorneys' fees. IT IS FURTHER  
19 ORDERED that the Court shall retain jurisdiction for the purpose of enforcing the parties'  
20 Settlement Agreement and General Release should such enforcement be necessary.

21  
22 Dated: November 5, 2015

  
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24 MARIA-ELENA JAMES  
25 UNITED STATES MAGISTRATE JUDGE  
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